

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

BANDSPEED, INC., )  
                        )  
Plaintiff,           )  
                        )  
v.                    )  
                        )  
GARMIN INTERNATIONAL, INC., *et al.*; ) Case No. 1:11-CV-00771  
                        )  
Defendants,         )  
\_\_\_\_\_  
                        )

**TOSHIBA'S UNOPPOSED MOTION TO FILE UNDER SEAL**

Defendant Toshiba moves to have filed under seal Exhibit 46 to the Declaration of Gerard A. Haddad in Support of Toshiba and LG's Reply in Support of their Motion for Summary Judgment on Patent Infringement Claims (Counts I and II) (DI 1529-2). Plaintiff Bandspeed, Inc. does not oppose this motion.

1. Exhibit 46 contains information designated as confidential information under the Protective Order (DI 905) by Bandspeed, Inc., and should have been filed under seal when initially filed. Under paragraph 15 of the Protective Order, “[a]ny Classified Information that is filed with the Court shall be filed under seal and shall remain under seal until further order of the Court.” (DI 915 ¶ 15).

Date: February 12, 2014

By: /s/ Gerard A. Haddad

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**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who have consented to electronic service, local rule CV-5(a)(3), on this 12th day of

February, 2014. Additionally, I certify that on February 12th, 2014, all counsel of record will be served with the exhibits to be filed under seal by e-mail.

/s/ Gerard A. Haddad  
Gerard A. Haddad